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OFFICE OF PETITIONS

LEE & HAYES PLLC  
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SPOKANE, WA 99201

In re Application of :  
Karatal, et al. : DECISION ON PETITION  
Application No. 10/693,718 :  
Filed: October 24, 2003 :  
Atty. Dkt. MS1-1792US :

This decision is in response to the petition filed August 20, 2004 under 37 CFR 1.183 to waive the requirements of 37 CFR 1.52(e).

The petition under 37 CFR 1.183 is hereby **GRANTED**.

37 CFR 1.52(e)(3)(ii) requires that each compact disc submitted must be accompanied by a transmittal letter listing for each compact disc the machine format (e.g., IBM-PC, Macintosh), the operating system compatibility (e.g., MS-DOS, MS-Windows, Macintosh, Unix), a list of files contained on the compact disc including their names, sizes in bytes, and dates of creation, plus any other special information that is necessary to identify, maintain, and interpret the information on the compact disc.

Petitioners have established that the size of the data contained on the disks makes it burdensome for applicant to submit and for the Office to process if submitted a paper listing for each compact disc in accordance with 37 CFR 1.52(e)(3)(ii).

Accordingly, pursuant to 37 CFR 1.183, 37 CFR 1.52(e)(3)(ii) is hereby suspended thus allowing the transmittal letter listing of all the files contained on the sets of three compact discs filed with the application, including their names, sizes in bytes, and dates of creation, to be submitted in the tables on the accompanying discs. Further, pursuant to 37 CFR 1.183, 37 CFR 1.52(e)(5) is hereby suspended thus allowing the specification listing of all the files contained on the sets of three compact discs filed with the application, including their names, sizes in bytes, and dates of creation, to be submitted in the tables on the accompanying discs.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for further processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3205.

A handwritten signature in black ink, appearing to read 'Alesia M. Brown'.

Alesia M. Brown  
Senior Petitions Attorney  
Office of Petitions